

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

DONNA P. FREUND,

Plaintiff,

vs.

Case No. 6:15-cv-1325-Orl-37TBS

JOHNSON & JOHNSON; JANSSEN
RESEARCH & DEVELOPMENT, LLC;
and JANSSEN PHARMACEUTICALS,
INC.,

Defendants.

ORDER

This cause is before the Court on the following:

1. Plaintiff's Complaint (Doc. 1), filed August 10, 2015;
2. Order to Show Cause (Doc. 5), filed August 13, 2015; and
3. Amended Response to Order to Show Cause (Doc. 7), filed August 13, 2015.

Plaintiff's jurisdictional allegations were insufficient to establish that this Court has diversity jurisdiction over this personal injury action. (See Doc. 1.) Accordingly, the Court ordered Plaintiff to show cause why the action should not be dismissed for want of jurisdiction. (Doc. 5.) Specifically, the Court inquired into the citizenship of the LLC Defendant—Janssen Research & Development, LLC—which is determined by the citizenship of each of its members. (*Id.* (citing *Rolling Greens MHP, L.C. v. Comcast SCH Holdings L.L.C.*, 374 F.3d 1020, 1022 (11th Cir. 2004).)

In response, Plaintiff states that Defendant Janssen Research & Development,

LLC has three members—Janssen Alzheimer Immunotherapy Research & Development, *LLC*, Janssen Supply Group, *LLC*, and Tibotec, *LLC* (collectively, the “Members”). (Doc. 7, pp. 1–2 (emphasis added).) Plaintiff provides only the place of incorporation and “primary address” of each of the Members. (*Id.*) These allegations are insufficient for the Court to determine the citizenship of the Members, as an LLC is a citizen of any state where one or more of its members is a citizen. *Rolling Greens MHP*, 374 F.3d at 1022.

In order for the Court to determine whether the parties to this action are completely diverse, Plaintiff must provide the citizenship of Defendant’s Members; because those Members are also LLCs, it follows that Plaintiff must also provide the citizenship of the Members’ members. See *id.* Plaintiff’s Amended Response to Order to Show Cause (Doc. 7) is therefore insufficient.

Accordingly, it is **ORDERED AND ADJUDGED** that this action is dismissed without prejudice for lack of subject matter jurisdiction. On or before Monday, **August 31, 2015**, Plaintiff may file an amended complaint that adequately alleges the citizenship of each party.

DONE AND ORDERED in Chambers in Orlando, Florida, on August 14, 2015.



A handwritten signature in blue ink, appearing to read "Roy B. Dalton Jr.", followed by a solid horizontal line.

ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record